



## OKLAHOMA State Courts Network

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### IN THE DISTRICT COURT IN AND FOR TULSA COUNTY, OKLAHOMA

<p>COCO REED, Plaintiff,</p> <p>v.</p> <p>TRINITY INDUSTRIES, Defendant.</p>	<p><b>No. CJ-2016-3802</b> <b>(Civil relief more than \$10,000: WRONGFUL TERMINATION)</b></p> <p>Filed: 10/19/2016</p> <p>Judge: Morrissey, Linda G.</p>
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### PARTIES

REED, COCO, Plaintiff  
TRINITY INDUSTRIES, Defendant

### ATTORNEYS

#### Attorney

OXFORD, BENJAMIN (Bar #22259)  
9 EAST 4TH STREET  
SUITE 701  
TULSA, OK 74103

#### Represented Parties

REED, COCO

### EVENTS

None

### ISSUES

For cases filed before 1/1/2000, ancillary issues may not appear except in the docket.

### EXHIBIT 1

**Issue # 1.** Issue: WRONGFUL TERMINATION (TERMINATE)  
 Filed By: REED, COCO  
 Filed Date: 10/19/2016

**Party Name                      Disposition Information**

**Defendant:**

TRINITY INDUSTRIES

## DOCKET

Date	Code	Description	Count	Party	Amount
10-19-2016	TEXT	CIVIL RELIEF MORE THAN \$10,000 INITIAL FILING.	1		
10-19-2016	TERMINATE	WRONGFUL TERMINATION			
10-19-2016	DMFE	DISPUTE MEDIATION FEE			\$ 7.00
10-19-2016	PFE1	PETITION Document Available (#1034604628)  TIFF  PDF			\$ 163.00
10-19-2016	PFE7	LAW LIBRARY FEE			\$ 6.00
10-19-2016	OCISR	OKLAHOMA COURT INFORMATION SYSTEM REVOLVING FUND			\$ 25.00
10-19-2016	OCJC	OKLAHOMA COUNCIL ON JUDICIAL COMPLAINTS REVOLVING FUND			\$ 1.55
10-19-2016	OCASA	OKLAHOMA COURT APPOINTED SPECIAL ADVOCATES			\$ 5.00
10-19-2016	SSFCHSCPC	SHERIFF'S SERVICE FEE FOR COURTHOUSE SECURITY PER BOARD OF COUNTY COMMISSIONER			\$ 10.00
10-19-2016	CCADMINCSF	COURT CLERK ADMINISTRATIVE FEE ON COURTHOUSE SECURITY PER BOARD OF COUNTY COMMISSIONER			\$ 1.00
10-19-2016	CCADMIN0155	COURT CLERK ADMINISTRATIVE FEE ON \$1.55 COLLECTION			\$ 0.16
10-19-2016	SJFIS	STATE JUDICIAL REVOLVING FUND - INTERPRETER AND TRANSLATOR SERVICES			\$ 0.45
10-19-2016	DCADMIN155	DISTRICT COURT ADMINISTRATIVE FEE ON \$1.55 COLLECTIONS			\$ 0.23

### EXHIBIT 1

Date	Code	Description	Count	Party	Amount
10-19-2016	DCADMIN05	DISTRICT COURT ADMINISTRATIVE FEE ON \$5 COLLECTIONS			\$ 0.75
10-19-2016	DCADMINCSF	DISTRICT COURT ADMINISTRATIVE FEE ON COURTHOUSE SECURITY PER BOARD OF COUNTY COMMISSIONER			\$ 1.50
10-19-2016	CCADMIN04	COURT CLERK ADMINISTRATIVE FEE ON COLLECTIONS			\$ 0.50
10-19-2016	LTF	LENGTHY TRIAL FUND			\$ 10.00
10-19-2016	SMF	SUMMONS FEE (CLERKS FEE)			\$ 10.00
10-19-2016	SMIP	SUMMONS ISSUED - PRIVATE PROCESS SERVER			
10-19-2016	TEXT	OCIS HAS AUTOMATICALLY ASSIGNED JUDGE MORRISSEY, LINDA G. TO THIS CASE.			
10-19-2016	ACCOUNT	RECEIPT # 2016-3433492 ON 10/19/2016. PAYOR: OXFORD LEHR PLLC TOTAL AMOUNT PAID: \$ 242.14. LINE ITEMS: CJ-2016-3802: \$173.00 ON AC01 CLERK FEES. CJ-2016-3802: \$6.00 ON AC23 LAW LIBRARY FEE CIVIL AND CRIMINAL. CJ-2016-3802: \$1.66 ON AC31 COURT CLERK REVOLVING FUND. CJ-2016-3802: \$5.00 ON AC58 OKLAHOMA COURT APPOINTED SPECIAL ADVOCATES. CJ-2016-3802: \$1.55 ON AC59 COUNCIL ON JUDICIAL COMPLAINTS REVOLVING FUND. CJ-2016-3802: \$7.00 ON AC64 DISPUTE MEDIATION FEES CIVIL ONLY. CJ-2016-3802: \$0.45 ON AC65 STATE JUDICIAL REVOLVING FUND, INTERPRETER SVCS. CJ-2016-3802: \$2.48 ON AC67 DISTRICT COURT REVOLVING FUND. CJ-2016-3802: \$25.00 ON AC79 OCIS REVOLVING FUND. CJ-2016-3802: \$10.00 ON AC81 LENGTHY TRIAL FUND. CJ-2016-3802: \$10.00 ON AC88 SHERIFF'S SERVICE FEE FOR COURT HOUSE SECURITY.			

# EXHIBIT 1

**EXHIBIT 1**



**IN THE DISTRICT COURT OF TULSA COUNTY**  
**STATE OF OKLAHOMA**

**COCO REED**

**Plaintiff,**

**v.**

**TRINITY INDUSTRIES**

**A foreign, for-profit corporation**

**Defendant.**

**CJ-2016-03802**  
Case No.

**Linda Morrissey**

**JURY TRIAL DEMANDED**  
**ATTORNEY LIEN CLAIMED**

**DISTRICT COURT**  
**FILED**

**PETITION**

OCT 19 2016

1. Plaintiff is an individual residing in Tulsa County, State of Oklahoma.
2. The Plaintiff was an employee of Defendant as defined by Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. § 2000e, et seq. ("Title VII").
3. Trinity is a foreign, for-profit corporation, doing business in Tulsa County, State of Oklahoma, and is an employer as defined by Title VII.
4. The events giving rise to this petition took place in Tulsa County, State of Oklahoma.

**FACTS PERTINENT TO ALL CLAIMS**

4. The Plaintiff is an African American female, and was formerly employed by Defendant as a welder.
5. While employed by the Defendant, the Plaintiff's supervisor (Caucasian) repeatedly harassed the Plaintiff based on her race and gender, and made sexual advances towards the Plaintiff that were both sexually and racially inappropriate, such as making lewd comments about liking his women like he likes his coffee: dark. The supervisor also commented that he was "black from the waist down", and that he had grandchildren who were "mixed". The supervisor even went so

far as to make such comments to other employees about the Plaintiff, saying that others wanted to work with the Plaintiff because they wanted to see her “big ol’ brown titties.”

6. Aside from making racially and sexually charged comments about the Plaintiff, the supervisor also would take off his shirt in front of the Plaintiff in the workplace in an effort to impress her sexually.

7. The Plaintiff complained about this issue to Trinity management, but the harassment continued.

8. Plaintiff has exhausted his administrative remedies with the Office of Civil Rights Enforcement and a right to sue letter was issued on July 21, 2016.

**COUNT ONE: RACIAL DISCRIMINATION IN VIOLATION OF TITLE VII AND  
OADA**

9. Plaintiff was protected from discrimination based on race, color and national origin under Title VII and the Oklahoma Anti-Discrimination Act (“OADA”)

10. While employed by Defendant, Plaintiff complained of discriminatory treatment based on her race and color.

11. The Plaintiff’s treatment at the hands of her supervisor and others was so bad that no person could reasonably be expected to endure the same, and the Plaintiff was forced to resign her employment, amounting to a constructive discharge.

12. A motivating factor in the Defendant’s treatment of Plaintiff was Plaintiff’s race and color.

13. As a result of Defendant’s wrongful actions, Plaintiff has sustained a loss of employment, loss of wages, loss of benefits and other compensation, loss of seniority, loss of career path, loss of future wages and benefits, and other compensatory damages, including without limitation, future pecuniary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and damage to reputation.

14. Defendant's actions were reckless, egregious, and malicious to the extent that Plaintiff is entitled to punitive damages.

**COUNT TWO: GENDER DISCRIMINATION IN VIOLATION OF TITLE VII AND  
THE OADA**

15. Plaintiff was protected from discrimination and harassment on the basis of her gender by Title VII and the OADA.

16. While in the employ of Defendant, the Plaintiff complained of harassment based on her gender in the form of unwanted sexual advances and comments from her supervisor.

17. The Plaintiff's treatment was so bad that no reasonable person would be expected to endure the same, and she subsequently resigned her employment, amounting to constructive discharge.

18. A motivating factor in Plaintiff's treatment was her gender: female.

19. Plaintiff was also passed over for promotional opportunities and higher pay by less qualified male employees.

20. As a result of Defendant's wrongful actions, Plaintiff has sustained a loss of employment, loss of wages, loss of benefits and other compensation, loss of seniority, loss of career path, loss of future wages and benefits, and other compensatory damages, including without limitation, future pecuniary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and damage to reputation.

21. Defendant's actions were reckless, egregious, and malicious to the extent that Plaintiff is entitled to punitive damages.

**COUNT THREE: HOSTILE WORK ENVIRONMENT**

For her Fourth Count against Trinity, the Plaintiff adopts and re-alleges all of her allegations above as if fully set forth herein; and she further alleges and states:

22. The conduct of Trinity, through its supervisors and managers, was extreme and outrageous in its treatment of Plaintiff. Plaintiff was subject to a hostile work environment based on her race: African American, her gender: female, and in retaliation for her objections to her supervisors' advances.
23. Trinity's actions were reckless, egregious, and malicious to the extent that Plaintiff is entitled to punitive damages.

WHEREFORE, Plaintiff CoCo Reed prays the Court enter judgment against Trinity and award her damages in an amount in excess of \$75,000.00, along with all further relief this Court deems just and equitable including but not limited to, back pay, front pay, liquidated damages, punitive damages, attorney's fees and costs.

Respectively Submitted,

**OXFORD LEHR, PLLC**



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